IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9255 of 2006
Date of Decision: 27.4.2007

Kurukshetra University, Kurukshetra

Petitioner

versus

Bimla Rani and another

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MS. JUSTICE RAJESH BINDAL

Present: Shri Gurinder Pal Singh, Advocate for the petitioner
Shri Dinesh Kumar, Advocate for respondent No.1

Jasbir Singh, J. (Oral)

Counsel for the petitioner has placed on record a photocopy of communication dated 26.4.2007, addressed to the counsel, by the Assistant Registrar (Secrecy), Kurukshetra University, Kurukshetra, wherein it has been stated that if the workman agree to forego back wages, the Univeristy will employ her subject to availability of the work, on old terms and conditions, which were applicable to her before his disengagement.

It is an admitted fact that after passing of the award, the respondent-workman was not taken back in service. An affidavit has been filed by the respondent-workman, stating that in case she is taken back in service and allowed to continue as such, she will not claim back wages.

In view of the facts of this case and order passed in CWP No.17868 of 2006 titled as *Kurukshetra University, Kurukshetra v. Rameshwar and another* decided on 20.3.2007, we dispose of this writ petition with a direction to the petitioner-University, to take back the respondent-workman in service forthwith. As agreed by counsel for the respondent-workman, the respondent-workman shall not claim back wages,

if taken back in service. We also feel that respondent-workman is entitled to benefit of Section 17-B of the Act due to the pendency of the writ petition. The amount be calculated and paid to him within one month from the date of receipt of a certified copy of this order.

(Jasbir Singh)
Judge

April 27, 2007 **(Rajesh Bindal)**
gk **Judge**